

3793
1 BILL NO. G-77-09-09

2 GENERAL ORDINANCE NO. G- 37-77.

3 AN ORDINANCE amending certain Sections
4 of the Code of the City of Fort Wayne,
5 Indiana of 1974.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the following sections of The Code of
9 the City of Fort Wayne, Indiana of 1974 be and the same are
10 hereby amended to read as follows:

11 Section 1-8 Whenever in any chapter or section of
12 this Code, the doing of any act, or the omission to do any act
13 or duty, is declared to be a breach thereof, and there shall be
14 no fine or penalty declared for such, any person who shall be
15 convicted of any breach shall be adjudged to pay a fine of
16 not more than One Thousand Dollars (\$1,000.00). Each day any
17 violation of this Code or of any ordinance shall continue shall
18 constitute a separate offense.

19 Section 5-28 (c) Any person violating any of the pro-
20 visions of this section shall, upon conviction, be fined in any
21 sum not less than Twenty-five Dollars (\$25.00) nor more than
22 Two Hundred Dollars (\$200.00).

23 Section 5-29 (c) Any person violating any of the
24 provisions of this section shall, upon conviction, be fined in any
25 sum not less than Twenty-five Dollars (\$25.00) nor more than
26 Two Hundred Dollars (\$200.00).

27 Section 12-10 (a) Any person who shall violate any of
28 the Fire Prevention Code hereby adopted or fail to comply
29 therewith, who shall violate or fail to comply with any order
30 made thereunder, or who shall build in violation of any detailed
31 statement of specifications or plans submitted and approved
32 thereunder or any certificate or permit issued thereunder and
33 from which no appeal has been taken, or who shall fail to comply
34 with such an order as affirmed or modified by the Board of Public
35 Safety or by a Court of competent jurisdiction, within the time

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

1 fixed herein, shall severally for each and every such violation
2 and non-compliance respectively be guilty of a misdemeanor,
3 punishable by a fine of no more than Three Hundred Dollars (\$300.
4 00). The imposition of one penalty for any violation shall not
5 excuse the violation or permit it to continue, and all such
6 persons shall be required to correct or remedy such violations or
7 defects within a reasonable time. When not otherwise specified,
8 each five days that prohibited conditions are maintained, shall
9 constitute a separate offense.

10 Section 14-7 Any person violating any of the provisions
11 of sections 14-5 and 14-6, upon conviction thereof, shall be
12 fined for each offense, in any sum not less than Twenty-five
13 Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00),
14 and each day's violation shall constitute a separate offense.

15 Section 17-6 Unless another penalty is expressly
16 provided by law, every person convicted of a violation of any
17 provision of this chapter shall be punished by a fine of not
18 more than One Hundred Dollars (\$100.00).

19 Section 17-113 Any person violating any provision of
20 this article shall be guilty of a misdemeanor and, upon conviction
21 thereof, shall be fined in the amount not exceeding Three
22 Hundred Dollars (\$300.00). Each day such violation is committed
23 or permitted to continue shall constitute a separate offense and
24 shall be punishable as such hereunder.

25 Section 18-14 Whoever utters an approbrious or vile
26 epithet involving moral turpitude or profaning God, Jesus Christ,
27 or the Holy Ghost, in the presence of anyone, or whoever uses
28 vile or indecent language, shall be deemed guilty of disorderly
29 conduct, and, upon conviction, shall be fined in any sum not
30 exceeding One Hundred Dollars (\$100.00).

31 Section 18-19 (b) Any person violating any of the
32 provisions of this section shall be deemed guilty of a misdemeanor
33 or and upon conviction thereof shall be fined in an amount not
34 exceeding Three Hundred Dollars (\$300.00). Each day such violation
35 is committed or permitted to continued shall constitute a
separate offense and shall be punishable as such hereunder.

1
2 Section 18-32 (c) Specific offenses. Whoever accosts
3 or approaches any person of the opposite sex, unknown to such
4 person, and by word or sign or gesture, attempts to speak to
5 or becomes acquainted with the person against his will, on a
6 public street or other public place in the city, except in the
7 transaction of legitimate business, or whoever, on a public
8 street or other public place in the city, attempts to entice or
9 procure any person to commit or become involved in an unlawful
10 or indecent sexual act or relationship, or whoever accosts or
11 approaches any person on a public street or other public place
12 in the city, and by word, sign or gesture, suggests, invites
13 or offers, the doing of any indecent, immoral or unnatural sexual
14 act, or whoever accosts or approaches a person on a public
15 street or other public place, and by word, sign or gesture,
16 suggests or invites, agrees or offers to procure, direct to
17 or furnish such person with the means or opportunity of engaging
18 in an immoral, indecent or unlawful sexual act or relationship
19 shall be deemed to have committed the crime of offending persons
20 in public places, and upon conviction, shall be fined in any
21 sum not exceeding One Hundred Dollars (\$100.00). Upon a second
22 conviction, such persons shall be punished by a fine of not less
23 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
24 (\$200.00). Upon a third or subsequent conviction, such persons
25 shall be punished by a fine of not less than One Hundred Dollars
26 (\$100.00) and no more than Three Hundred Dollars (\$300.00).

27 Section 18-48 (g) Any person who violates this section
28 or fails to obey any order of the City-County Board of Health
29 issued pursuant to this section shall be subject to a fine of
30 not more than Two Hundred Fifty Dollars (\$250.00).

31 SECTION 2. This Ordinance shall remain in full force
32 and effect from and after its passage, approval by the Mayor and
33 legal publication thereof.

34 *Vivian A. Schmidt*
35 Councilman

Read the first time in full and on motion by C. Schmidt, seconded by

Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-13-77

Charles W. Peterson
CITY CLERK

Read the third time in full and on motion by C. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	<u>✓</u>	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 9-27-77

Charles W. Peterson
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 9-37-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Peterson
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Peterson
CITY CLERK

Approved and signed by me this 29th day of September, 1977 at the hour of 4:00 o'clock P M., E.S.T.

Rahat Armstrong
MAYOR

~~LAC~~

Bill No. G-77-09-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending certain Sections of the Code of the City of Fort Wayne, Indiana of 1974

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance ADO PASS.

- VIVIAN G. SCHMIDT - CHAIRMAN
- WINFIELD C. MOSES, JR. - VICE CHAIRMAN
- WILLIAM T. HINGA
- DONALD SCHMIDT
- SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield C. Moses, Jr.
William T. Hinga
Donald Schmidt
Samuel J. Talarico

9-27-77 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong

Date 9-21-77

To

Date

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council - 9-27-77 -- 7:00 P.M.



COPIES TO:

BILL NO. G-77-09-09

AN ORDINANCE amending certain Sections of
the Code of the City of Fort Wayne, Indiana
of 1974

Pursuant to the request of the Standing Committee Chairman of Regulations of the Common Council, the presence of William N. Salin - City Attorney or an associate attorney familiar with the above ordinance, is respectfully requested on September 27, 1977, at 7:00 P.M., Room 128, Common Council Conference Room.

Further information is requested regarding the amendments to be made to certain sections of the Code of the City of Fort Wayne, Indiana of 1974, to comply with new state statute.

Your cooperation will be greatly appreciated.

Mona Alicia Sparrow 9/21/77

3193
REC

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE General Y-77-09-09.

DEPARTMENT REQUESTING ORDINANCE Law

SYNOPSIS OF ORDINANCE _____

An ordinance amending certain Sections of the Code of the City

of Fort Wayne, Indiana of 1974. to comply

with new state statute

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

Resolutions



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

September 30, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 4 and October 11, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-77-08-36
(as amended)
Special Ordinance No. G-36-77

Bill No. G-77-06-16
General Ordinance No. G-35-77

Bill No. G-77-09-09
General Ordinance No. G-37-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Charles W. Westerman
City Clerk

CWM/ne
ENCL: 3

City Clerk, Charles W. Hosterman
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

2

Body number of lines

217

Tail number of lines

1

Total number of lines in notice

220

COMPUTATION OF CHARGES

220 lines 1 columns wide equals 220 equivalent lines at 25 cents per line \$54.98

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$56.48

DATA FOR COMPUTING COST

Width of single column 6.6 cms

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 10.11 19 77

Title CLERK

BILL NO. G-77-09-09
GENERAL ORDINANCE NO. G-37-77
Notice is hereby given that on the 27th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-77-09-06, G-37-77 General Ordinance, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following sections of the Code of the City of Fort Wayne, Indiana of 1974 be and the same are hereby amended to read as follows:

Section 1-8 Whenever in any chapter or section of this Code, the doing of any act, or the omission to do any act or duty, is declared to be a breach thereof, and there shall be no fine or penalty declared for such, any person who shall be convicted of any breach shall be adjudged to pay a fine of not more than One Thousand Dollars (\$1,000.00). Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

Section 5-28 (c) Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00).

Section 5-29 (c) Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00).

Section 12-10 (a) Any person who shall violate any of the Fire Prevention Code hereby adopted or fail to comply therewith, who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Public Safety or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be guilty of a misdemeanor, punishable by a fine of no more than Three Hundred Dollars (\$300.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each five days that prohibited conditions are maintained, shall constitute a separate offense.

Section 14-7 Any person violating any of the provisions of sections 14-5 and 14-6, upon conviction thereof, shall be fined for each offense, in any sum not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each day's violation shall constitute a separate offense.

Section 17-6 Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

Section 17-11 Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding Three Hundred Dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows: 10/11/77

Subscribed and sworn to before me this 11th day of October 1977

Notary Public

My commission expires 2-28-79

Form 90
Revised

and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Public Safety or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be guilty of a misdemeanor, punishable by a fine of no more than Three Hundred Dollars (\$300.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each five days that prohibited conditions are maintained, shall constitute a separate offense.

Section 14-7 Any person violating any of the provisions of sections 14-3 and 14-4, upon conviction thereof, shall be fined for each offense, in any sum not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each day's violation shall constitute a separate offense.

Section 17-4 Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

Section 17-113 Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding Three Hundred Dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Sections 18-14 Whoever utters an approbrious or vile epithet involving moral turpitude or profaning God, Jesus Christ, or the Holy Ghost, in the presence of anyone, or whoever uses vile or indecent language, shall be deemed guilty of disorderly conduct, and, upon conviction, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00).

Section 18-19 (b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Three Hundred Dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 18-32 (c) Specific offenses. Whoever accosts or approaches any person of the opposite sex, unknown to such person, and by word or sign or gesture, attempts to speak to or becomes acquainted with the person against his will, on a public street or other public place in the city, except in the transaction of legitimate business, or whoever, on a public street or other public place in the city, attempts to entice or procure any person to commit or become involved in an unlawful or indecent sexual act or relationship, or whoever accosts or approaches any person on a public street or other public place in the city, and by word, sign or gesture, suggests, invites or offers, the doing of any indecent, immoral or unnatural sexual act, or whoever accosts or approaches a person on a public street or other public place, and by word, sign or gesture, suggests or invites, agrees or offers to procure, direct to or furnish such person with the means or opportunity of engaging in an immoral, indecent or unlawful sexual act or relationship shall be deemed to have committed the crime of offending persons in public places, and upon conviction, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00). Upon a second conviction, such persons shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00). Upon a third or subsequent conviction, such persons shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and no more than Three Hundred Dollars (\$300.00).

Section 18-48 (g) Any person who violates this section or fails to obey any order of the City-County Board of Health issued pursuant to this section shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00).

SECTION 2. This Ordinance shall remain in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt, Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes, Eight: Burns, Hinga, Hunter, Moses, Nuckolls, D. Schmidt, V. Schmidt, Talarico
Nays, None
Absent, One: Siler

Dates: 5-27-77

Charles W. Westerman, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-37-77 on the 27th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk
John Nuckolls, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 O'clock P.M., E.S.T.

Robert E. Armstrong, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-37-77 passed by the Common Council on the 27th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of September, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of September, 1977.

Charles W. Westerman, City Clerk

City Clerk, Charles W. Hosterman
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____ 2

Body number of lines _____ 217

Tail number of lines _____ 1

Total number of lines in notice _____ 220

COMPUTATION OF CHARGES

220 lines, 1 columns wide equals 220 equivalent lines at 250 _____ \$4.98
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____ 1.50

TOTAL AMOUNT OF CLAIM

\$ 6.48

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 10-11, 1977

Title _____ CLERK

BILL NO. G-77-09-09
GENERAL ORDINANCE NO. G-37-77

Notice is hereby given that on the

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is _____ CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

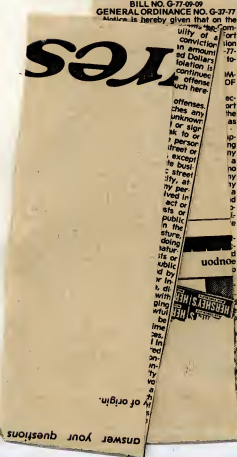
in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows: 10-11-77

Subscribed and sworn to before me this 11th day of October 1977

Notary Public

My commission expires 10-11-79



Common Council City of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines _____

Head number of lines 2

Body number of lines 217

Tail number of lines 1

Total number of lines in notice 220

COMPUTATION OF CHARGES

220 lines, 1 columns wide equals 220 equivalent lines at \$259 \$56.98
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$58.48

DATA FOR COMPUTING COST

Width of single column 9.9 11 ems Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 10-11 77Title Arvilla DeWald CLERK

BILL NO. G-77-09-09
GENERAL ORDINANCE NO. G-37-77
Notice is hereby given that on the
27th day of September, 1977, the Com-
mon Council of the City of Fort
Wayne, Indiana, in a Regular Session
did pass the following Bill No. G-77-
09-09, G-37-77 General Ordinance, to-
wit:

BE IT OBTAINED BY THE COM-
MON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the following sec-
tions of the Code of the City of Fort
Wayne, Indiana of 1974 be and the
same are hereby amended to read as
follows:

Section 1-8 Whenever in any chap-
ter or section of this Code, the doing
of any act, or the omission to do any
act or duty, is declared to be a
breach thereof, and there shall be no
fine or penalty declared for such, any
person who shall be convicted of any
breach shall be adjudged to a pay a
fine of not more than One Thousand
Dollars (\$1,000.00). Each day any vi-
olation of this Code or of any ordi-
nance shall constitute a separate offense.

Section 5-28 (c) Any person violat-
ing any of the provisions of this sec-
tion shall, upon conviction, be fined
in any sum not less than Twenty-five
Dollars (\$25.00) nor more than Two
Hundred Dollars (\$200.00).

Section 5-29 (c) Any person violat-
ing any of the provisions of this sec-
tion shall, upon conviction, be fined
in any sum not less than Twenty-five
Dollars (\$25.00) nor more than Two
Hundred Dollars (\$200.00).

Section 12-10 (a) Any person who
shall violate any of the Fire Preven-
tion Code hereby adopted or fail to
comply therewith, or who shall violate
or fail to comply with any order
made thereunder, or who shall build
in violation of any detailed statement
of specifications or plans submitted
and approved thereunder or any cer-
tificate or permit issued thereunder
and from which no appeal has been
taken, or who shall fail to comply
with such an order as affirmed or
modified by the Board of Public Safe-
ty or by a Court of competent juris-
diction, within the time fixed herein,
shall severally for each and every
such violation and non-compliance re-
spectively be guilty of a misdemea-
nor, punishable by a fine of no more
than Three Hundred Dollars
(\$300.00). The imposition of one pen-
alty for any violation shall not excuse
the violation or permit it to continue,
and all such persons shall be re-
quired to correct or remedy such vi-
olations or defects within a reasonable
time. When not otherwise specified,
each five days that prohibited condi-
tions are maintained, shall constitute
a separate offense.

Section 14-7 Any person violating
any of the provisions of sections 14-3
and 14-6, upon conviction thereof, shall
be fined for each offense, in any sum
not less than Twenty-five Dollars
(\$25.00) nor more than One Hundred
Dollars (\$100.00), and each day's vi-
olation shall constitute a separate of-
fense.

Section 17-4 Unless another penalty
is expressly provided by law, every
person convicted of a violation of any
provision of this chapter shall be pun-
ished by a fine of not more than One
Hundred Dollars (\$100.00).

Section 17-13 Any person violating
any provision of this article shall be
guilty of a misdemeanor and, upon
conviction thereof, shall be fined in
the amount not exceeding Three Hun-
dred Dollars (\$300.00). Each day such
violation is committed or permitted
to continue shall constitute a sepa-
rate offense and shall be punishable
as such hereunder.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the
undersigned ARVILLA DEWALD who, being duly sworn, says
that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published
in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time 2, the dates of publication being
as follows: 10/6-11/77

Subscribed and sworn to before me this 11th day of October, 1977My commission expires 2-28-79 Notary Public

Form #

Form #

Hunter, D. (a) Any person who shall violate any of the Fire Prevention Code hereby adopted or fail to comply therewith, who shall violate or fail to comply with any order made hereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Public Safety or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be guilty of a misdemeanor, punishable by a fine of no more than Three Hundred Dollars (\$300.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each five days that prohibited conditions are maintained, shall constitute a separate offense.

Section 14-7 Any person violating any of the provisions of sections 14-5 and 14-6, upon conviction thereof, shall be fined for each offense, in any sum not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each day's violation shall constitute a separate offense.

Section 17-4 Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

Section 17-13 Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding Three Hundred Dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 18-14 Whoever utters an ap-probrious or vile epithet involving moral turpitude or profaning God, Jesus Christ, or the Holy Ghost, in the presence of anyone, or whoever uses vile or indecent language, shall be deemed guilty of disorderly conduct, and, upon conviction, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00).

Section 18-19 (b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Three Hundred Dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 18-32 (c) Specific offenses. Whoever accosts or approaches any person of the opposite sex, unknown to such person, and by word or sign or gesture, attempts to speak to or becomes acquainted with the person against his will, on a public street or other public place in the city, except in the transaction of legitimate business, or whoever, on a public street or other public place in the city, attempts to entice or procure any person to commit or become involved in an unlawful or indecent sexual act or relationship, or whoever accosts or approaches any person on a public street or other public place in the city, and by word, sign or gesture, suggests, invites or offers, the doing of any indecent, immoral or unlawful sexual act, or whoever accosts or approaches a person on a public street or other public place and by word, sign or gesture, suggests or invites, agrees or offers to procure, direct to or furnish such person with the means or opportunity of engaging in an immoral, indecent or unlawful sexual act or relationship shall be deemed to have committed the crime of offending persons in public places, and upon conviction, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00). Upon a second conviction, such persons shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00). Upon a third or subsequent conviction, such persons shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and no more than Three Hundred Dollars (\$300.00).

Section 18-48 (g) Any person who violates this section or fails to obey any order of the City-County Board of Health issued pursuant to this section shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00).

SECTION 2. This Ordinance shall remain in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt, Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes, Eight: Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays, None
Absent One: Siler

Dates: 9-27-77

Charles W. Westerman, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-37-77 on the 27th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk
John Nuckols, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E. S. T.

Charles W. Westerman, City Clerk
Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 O'clock P.M., E. S. T.

Robert E. Armstrong, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-37-77 passed by the Common Council on the 27th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of September, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of September, 1977.
Charles W. Westerman, City Clerk